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EXAMINER	
CHOJNACKI, MELLISSA M	
ART UNIT	**PAPER NUMBER**
2175	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/021,255	PLATT ET AL.	
	Examiner	Art Unit	
	Mellissa M Chojnacki	2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-46 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-46 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DOV POPOVICI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 2.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The arrangement of the disclosed application does not conform with 37 CFR 1.77(b).

Section headings appear in lowercase, and are boldface throughout the disclosed specification.

Section headings should not be underlined and/or **boldfaced** and should appear in UPPERCASE. Appropriate corrections are required according to the guidelines provided below:

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.
(b) CROSS-REFERENCE TO RELATED APPLICATIONS.
(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
(d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
(e) BACKGROUND OF THE INVENTION.
(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
(f) BRIEF SUMMARY OF THE INVENTION.
(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
(h) DETAILED DESCRIPTION OF THE INVENTION.
(i) CLAIM OR CLAIMS (commencing on a separate sheet).
(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Objections

3. Claims 42-45 are objected to because of the following informalities:

Claim 42 ends with two periods. The second period should be deleted.

Correction is required.

Claims 43-45 are objected to because they are dependent from objected to independent claim 42. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-9, 12-26 and 29-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Bhandari et al. (U.S. Patent No. 5,865,464).

As to claim 1, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

detecting attributes of the media object indicated in metadata for the media object (See column 4, lines 30-37; column 6, lines 4-20);

identifying media objects stored in the database that are related to the media object (See column 4, lines 30-37; column 6, lines 1-8);

inferring organization information for the media object based upon information obtained from each of the stored media objects that are related to the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

As to claims 2 and 19, Bhandari et al. teaches wherein the detecting step comprises:

detecting attributes of the media object generated when the media object was captured (See column 4, lines 26-37; column 6, lines 4-20).

As to claims 3 and 20, Bhandari et al. teaches assigning at least one attribute to the metadata for the media object prior to storing the media object (See column 4, lines 30-37, where "storing" is read on "processed"; and see column 6, lines 16-20).

As to claims 4 and 21, Bhandari et al. teaches assigning at least one attribute to the metadata for the media object based upon the inference (See column 5, lines 52-58, where "inference" is read on "tag").

As to claims 5 and 22, Bhandari et al. teaches detecting common features of the stored media objects (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

identifying the stored media objects that have common features (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17); and

eliminating the stored media objects that are not identified prior to inferring the organizing information (See column 7, lines 6-12; lines 36-41).

As to claims 6 and 23, Bhandari et al. teaches adding information to the attributes of the metadata of the media object based upon the common features of the stored media objects (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines

62-63, where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17).

As to claims 7-8, 24 and 25, Bhandari et al. teaches adding information to the metadata of the media object indicating that the organization information for the media object was determined based upon an inference (See column 4, lines 30-37; column 5, lines 53-58; column 6, lines 1-8; lines 62-63; column 10, lines 12-17).

As to claim 9, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

determining attributes of the media object indicated in metadata for the media object (See column 4, lines 30-37; column 6, lines 4-20);

determining a date on which the media object was captured, wherein the date comprises one of the attributes of the media object (See column 4, lines 30-37, where "date" is read on "when image was taken"; and see column 6, lines 1-8);

comparing the date with threshold date information (See column 6, lines 62-67; column 7, lines 1-5);

identifying media objects stored in the database that are related to the media object based upon the comparison (See column 4, lines 30-37; column 6, lines 1-8);

inferring organization information for the media object based upon information, obtained from each of the stored media objects related to the media object, and organizing the media object in the database based upon the inference (See column 6, lines 16-24, where "inferring organization information" is read on "frame"; and see lines 22-25, lines 40-41).

As to claim 12, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

detecting attributes of the media object indicated in metadata for the media object (See column 4, lines 30-37; column 6, lines 4-20);

performing an inexact search of the database based upon at least one of the attributes of the media object to identify media objects stored in the database that are related to the media object (See column 4, lines 30-37; column 6, lines 1-8; column 7, lines 36-41);

inferring organization information for the media object based upon information obtained from each of the stored media objects that are related to the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame", lines 22-25, lines 40-41); and

organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

As to claims 13 and 30, Bhandari et al. as modified, teaches wherein the inexact logic search step comprises:

performing an inexact search of the database based upon a date on which the media object was captured, wherein the date comprises one of the attributes of the media object (See Bhandari et al., column 4, lines 30-37; column 6, lines 16-25; column 7, lines 36-41).

As to claims 14 and 31, Bhandari et al. as modified, teaches wherein the inexact logic search step comprises:

performing an inexact search of the database based upon a location at which the media object was captured, wherein the location comprises one of the attributes of the media object (See Bhandari et al., column 2, lines 21-22; column 4, lines 30-37; column 5, lines 19-21; column 6, lines 16-25; column 7, lines 36-41).

As to claim 15, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

comparing the media object with media objects that are stored in the database (See column 6, lines 62-63; column 10, lines 12-14, where "feature" is read on "object description");

identifying the stored media objects in the database that include features in common with the media object (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where "identifying" is read on "matching");

inferring organization information for the media object based upon information, obtained from each of the media objects including features in common with the media object, representing organization in the database (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

As to claim 16, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

identifying a feature of the media object (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight");

comparing the feature of the media object with stored media objects that are stored in the database (See column 6, lines 62-63; column 10, lines 12-14, where "feature" is read on "object description");

identifying the stored media objects having the feature (See column 6, lines 1-8; column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

inferring organization information for the media object based upon information obtained from each of the stored media objects having the feature found in the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

As to claim 17, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

identifying a feature of the media object (See column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight");

performing an inexact search to detect stored media objects that are stored in the database having the feature identified in the media object (See column 4, lines 30-37; column 6, lines 4-20);

identifying the media objects having the feature identified in the media object (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

inferring organization information for the media object based upon in formation obtained from each of the stored media objects having the feature identified in the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

As to claim 18, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

detecting attributes of the media object indicated in metadata for the media object (See column 4, lines 30-37; column 6, lines 4-20);

identifying media objects stored in the database that are related to the media object (See column 4, lines 30-37; column 6, lines 1-8);

inferring organization information for the media object based upon information obtained from each of the stored media objects that are related to the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

As to claim 26, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

determining attributes of the media object indicated in metadata for the media object (See column 4, lines 30-37, where "attributes" is read on "description"; and see column 6, lines 1-8);

determining the date on which the media object was captured, wherein the date comprises one of the attributes of the media object (See column 4, lines 30-37, where "attributes" is read on "description"; and see column 6, lines 1-8);

comparing the date with threshold date information (See column 6, lines 62-67; column 7, lines 1-5);

identifying stored media objects stored in the database that are related to the media object based upon the comparison (See column 4, lines 30-37; column 6, lines 1-8);
inferring organization information for the media object based upon information obtained from each of the stored media objects related to the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and
organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

As to claim 29, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of:
capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");
detecting attributes of the media object indicated in metadata for the media object (See column 4, lines 30-37; column 6, lines 4-20);
performing an inexact search of the database based upon at least one of the attributes of the media object to identify stored media objects stored in the database that are related to the media object (See column 4, lines 30-37; column 6, lines 1-8; column 7, lines 36-41);
inferring organization information for the media object based upon information obtained from each of the stored media objects that are related to the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

As to claim 32, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of:
capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");
comparing the media object with stored media objects that are stored in the database (See column 6, lines 62-63, where "comparing" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);
identifying the stored media objects in the database that include features in common with the media object (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);
inferring organization information for the media object based upon information obtained from each of the media objects including features in common with the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and
organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

As to claim 33, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

identifying a feature of the media object (See column 4, lines 30-37; column 6, lines 1-8);

comparing the feature of the media object with stored media objects that are stored in the database (See column 6, lines 62-63, where "comparing" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

identifying the stored media objects having the feature found in the media object (See column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

inferring organization information for the media object based upon information obtained from each of the stored media objects having the feature found in the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

As to claim 34, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

identifying a feature of the media object (See column 4, lines 30-37; column 6, lines 1-8);

performing an inexact search to detect stored media objects that are stored in the database having the feature identified in the media object (See column 4, lines 30-37; column 6, lines 1-8; lines 4-20; column 7, lines 36-41);

identifying the stored media objects having the feature identified in the media object (See column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

inferring organization information for the media object based upon information obtained from each of the stored media objects having the feature identified in the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 10, 27, 35-41 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhandari et al. (U.S. Patent No. 5,865,464), in view of publication, "Software System for Automatic Albuming of Consumer Pictures," by Loiu et al. published by ACM Multimedia Conference, 1999 (hereinafter, Loui et al., '99)

As to claim 10, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

determining attributes of the media object indicated in the metadata for the media object (See column 4, lines 30-37; column 6, lines 4-20);

determining a date on which the media object was captured, wherein the date comprises one of the attributes of the media object (See column 4, lines 30-37; column 6, lines 1-8);

inferring organization information for the media object based upon the comparison (See column 6, lines 16-24, where "inferring organization information" is read on "frame", and see lines 22-25, lines 40-41); and

organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

Bhandari et al. does not teach comparing the date on which the media object was captured with entries in a date book.

Loui et al., '99, teaches a software system for automatic albuming of consumer pictures (See abstract), in which he teaches comparing the date on which the media object was captured with entries in a date book (See page 160, section 2, lines 1-7, where "date book" is read on "comprehensive chronicle", lines 15-16; section 2.1, lines 3-7).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Bhandari et al., to include comparing the date on which the media object was captured with entries in a date book.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bhandari et al., by the teachings of Loui et al., '99, because comparing the date on which the media object was captured with entries in a date book would create and develop a software system or application to enable the automatic organization and albuming of consumer images (See Loui et al., '99, page 159, motivation section, lines 37-39).

As to claim 27, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");
determining attributes of the media object indicated in the metadata for the media object (See column 4, lines 30-37; column 6, lines 4-20);
determining the date on which the media object was capture, wherein the date comprises one of the attributes of the media object (See column 4, lines 30-37, where "attributes" is read on "description"; column 6, lines 1-8);
inferring organization information for the media object based upon the comparison (See column 6, lines 16-24, where "inferring organization information" is read on "frame");
and
organizing the media object in the database based upon the inference (See column 6, lines 22-25, lines 40-41).

Bhandari et al. does not teach comparing the date on which the media object was captured with entries in a date book.

Loui et al., '99, teaches a software system for automatic albuming of consumer pictures (See abstract), in which he teaches comparing the date on which the media object was captured with entries in a date book (See page 160, section 2, lines 1-7, where "date book" is read on "comprehensive chronicle", lines 15-16; section 2.1, lines 3-7).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Bhandari et al., to include comparing the date on which the media object was captured with entries in a date book.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bhandari et al., by the teachings of Loui et al., '99, because comparing the date on which the media object was captured with entries in a date book would create and develop a software system or application to enable the automatic organization and albuming of consumer images (See Loui et al., '99, page 159, motivation section, lines 37-39).

As to claim 35, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

detecting a capture time for each of the media objects to be organized (See column 4, lines 30-37, where "capture time" is read on "when image was taken").

Bhandari et al. does not teach sorting the media objects in based upon the capture time to generate a sorted list; comparing the capture time of each of the media objects with a reference value; and grouping the media objects in the database based upon the comparison.

Loui et al., '99, teaches a software system for automatic albuming of consumer pictures (See abstract), in which he teaches sorting the media objects in based upon the capture time to generate a sorted list (See page 160, section 2.1, lines 3-7);

comparing the capture time of each of the media objects with a reference value (See page 160, section 2.1, paragraph 1, lines 3-27); and

grouping the media objects in the database based upon the comparison (See page 160, section 2.1, paragraph 1, lines 3-4).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Bhandari et al., to include sorting the media objects in based upon the capture time to generate a sorted list; comparing the capture time of each of the media objects with a reference value; and grouping the media objects in the database based upon the comparison.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bhandari et al., by the teachings of Loui et al., '99, because sorting the media objects in based upon the capture time to generate a sorted list; comparing the capture time of each of the media objects with a reference value; and grouping the media objects in the database based upon the comparison would create and develop a software system or application to enable the automatic organization and albuming of consumer images (See Loui et al., '99, page 159, motivation section, lines 37-39).

As to claim 36, Bhandari et al. as modified, teaches determining whether the capture time of the each of the media objects is within a predetermined time period from the reference value (See Loui et al., '99, page 160, section 2.1 System Features, lines 3-10); and wherein the grouping step comprises grouping at least one of the media

objects into a collection when the capture time of the at least one of the media objects the media objects is within the predetermined time period from the reference value (See Loui et al., '99, page 160, section 2.1 System Features, lines 3-10; also see page 160, section 1. Event clustering, lines 3-7).

As to claim 37, Bhandari et al. as modified, teaches selecting a representative media object from the at least one of the media objects grouped in the collection for use as a user interface (See Bhandari et al., column 7, lines 49-55; also see Loui et al., '99, page 159, abstract section, lines 9-16; also see page 161, section 2.2 Software Architecture, lines 41-45).

As to claim 38, Bhandari et al. as modified, teaches repeating the comparing step, the grouping step and the selecting step for each of the media objects in the sorted list (See Loui et al., '99, page 159, abstract section, lines 9-16).

As to claim 39, Bhandari et al. as modified, teaches setting a reference value to a predetermined value (See Loui et al., '99, page 160, section 2.1, 1. Event Clustering, lines 17-25); determining whether the capture time of a first one of the media objects in the sorted list is within a predetermined time period from the reference value (See Loui et al., '99, page 160, section 2.1 System Features, lines 3-10; also see section 2.1, 1. Event Clustering, lines 17-25); grouping the first one of the media objects into a collection when the capture time of the first one of the media objects is within the

predetermined time period from the reference value (See Loui et al., '99, page 160, section 2.1 System Features, lines 3-10; also see page 160, section 2.1, 1. Event Clustering, lines 17-25); updating the reference value to the capture time of the first one of the media objects in the sorted list to generate an updated reference value; and repeating the determining step, the grouping step and the updating step for each of the media objects in the sorted list (See Bhandari et al., column 7, lines 49-55; also see Loui et al., '99, page 159, abstract section, lines 9-16).

As to claim 40, Bhandari et al. as modified, teaches creating a new collection when the capture time of any one of the media objects from the sorted list is not within the predetermined time period from the updated reference value (See Bhandari et al., column 7, lines 36-41).

As to claim 41, Bhandari et al. as modified, teaches selecting a representative media object from the collection and from each new collection for use as a user interface (See Loui et al., '99, page 159, abstract section, lines 9-16; also see page 161, section 2.2 Software Architecture, lines 41-45).

As to claim 46, Bhandari et al. teaches a method of clustering media objects comprising:

capturing at least two media objects (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing at least two media objects" is read on "images are input");

Bhandari et al. does not teach extracting a creation time for each of the media objects; determining a time difference between the at least two creation times; and organizing the media objects based on the determined time difference.

Loui et al., '99, teaches a software system for automatic albuming of consumer pictures (See abstract), in which he teaches extracting a creation time for each of the media objects (See page 160, section 2.1, System Features, lines 3-7); determining a time difference between the at least two creation times (See page 160, section 2.1 1. Event Clustering, lines 10-15); and organizing the media objects based on the determined time difference (See page 160, section 2.1, System Features, lines 3-10; also see page 160, section 2.1 1. Event Clustering, lines 10-15).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Bhandari et al., to include extracting a creation time for each of the media objects; determining a time difference between the at least two creation times; and organizing the media objects based on the determined time difference.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bhandari et al., by the teachings of Loui et al., '99, because extracting a creation time for each of the media objects; determining a time difference between the at least two creation times; and organizing the media objects based on the determined time difference would create and develop a software

system or application to enable the automatic organization and albuming of consumer images (See Loui et al., '99, page 159, motivation section, lines 37-39).

8. Claims 11, and 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhandari et al. (U.S. Patent No. 5,865,464), in view of publication, "Automatic Image Event Segmentation and Quality Screening for Albuming Applications," by Loiu et al. published by IEEE International Conference on multimedia and Expo, 2000 (hereinafter, Loui et al. '00).

As to claim 11, Bhandari et al. does not teach wherein the comparing step comprises: comparing the date on which the media object was captured with entries in a global date book.

Loui et al. '00, teaches automatic image event segmentation and quality screening for albuming applications (See abstract), in which he teaches wherein the comparing step comprises: comparing the date on which the media object was captured with entries in a global date book (See page 1126, section II. Image Event Segmentation, lines 31-36; also see page 1126, section B. Block-based Histogram Correlation, lines 7-15).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Bhandari et al., to include wherein the comparing step comprises: comparing the date on which the media object was captured with entries in a global date book.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bhandari et al., by the teachings of Loui et al. '00, because wherein the comparing step comprises: comparing the date on which the media object was captured with entries in a global date book would help people organize their pictures so that they will be able to convey their story effectively (See Loui et al. '00, page 1125, section I. Introduction, lines 9-11).

As to claim 42, Bhandari et al. teaches a method of clustering media objects comprising:

capturing at least two media objects (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing at least two media objects" is read on "images are input");

Bhandari et al. does not teach creating a model and an associated collection for each of the at least two media objects; computing distances between the models; merging at least two of the models; merging the collections associated with the at least two models; and repeating the steps of computing distances, merging models, and merging collections until a desired number of collections have been obtained.

Loui et al. '00, teaches automatic image event segmentation and quality screening for albuming applications (See abstract), in which he teaches creating a model and an associated collection for each of the at least two media objects (See abstract, where "a model and associated collection" is read on "albuming");

computing distances between the models (See page 1126, section B. Block-based Histogram Correlation, lines 25-29, where "distances" is read on "coordinates");

merging at least two of the models (See page 1126, section II. Image Event Segmentation, lines 31-39);

merging the collections associated with the at least two models (See page 1126, section II. Image Event Segmentation, lines 31-39); and

repeating the steps of computing distances, merging models, and merging collections until a desired number of collections have been obtained (See page 1126, section II. Image Event Segmentation, lines 31-39; also see section B. Block-based Histogram Correlation, lines 25-29).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Bhandari et al., to include creating a model and an associated collection for each of the at least two media objects; computing distances between the models; merging at least two of the models; merging the collections associated with the at least two models; and repeating the steps of computing distances, merging models, and merging collections until a desired number of collections have been obtained.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bhandari et al., by the teachings of Loui et al. '00, because creating a model and an associated collection for each of the at least two media objects; computing distances between the models; merging at least two of the models; merging the collections associated with the at least two models; and repeating the steps of computing distances, merging models, and merging collections until a desired number of collections have been obtained would help people organize their

pictures so that they will be able to convey their story effectively (See Loui et al. '00, page 1125, section I. Introduction, lines 9-11).

As to claim 43, Bhandari et al. as modified, teaches wherein the model for each of the at least two media objects is a model of physical distance (See Loui et al. '00, page 1126, section II. Image Event Segmentation, lines 23-26, where "physical distance" is read on "boundries").

As to claim 44, Bhandari et al. as modified, teaches wherein the model for each of the at least two media objects is a model of time (See Loui et al. '00, page 1126, section II. Image Event Segmentation, lines 31-39).

As to claim 45, Bhandari et al. as modified, teaches wherein the model for each of the at least two media objects is a color histogram and the distances are computed via a histogram distance function (See Loui et al. '00, page 1126, section B. Block-based Histogram Correlation, lines 1-4, lines 25-29).

9. Claim 28, is rejected under 35 U.S.C. 103(a) as being unpatentable over Bhandari et al. (U.S. Patent No. 5,865,464), in view of Loui et al., '99, as applied to claims 10, 27, 35-41 and 46 above, and further in view of publication, "Automatic Image Event Segmentation and Quality Screening for Albuming Applications," by Loiu et al.

published by IEEE International Conference on multimedia and Expo, 2000 (hereinafter, Loui et al. '00).

As to claim 28, Bhandari et al. as modified, still does not teach comparing the date on which the media object was captured with entries in a global date book.

Loui et al. '00, teaches automatic image event segmentation and quality screening for albuming applications (See abstract), in which he teaches comparing the date on which the media object was captured with entries in a global date book (See page 1126, section II. Image Event Segmentation, lines 31-36; also see page 1126, section B. Block-based Histogram Correlation, lines 7-15).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Bhandari et al., to include comparing the date on which the media object was captured with entries in a global date book.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bhandari et al., by the teachings of Loui et al. '00, because comparing the date on which the media object was captured with entries in a global date book would help people organize their pictures so that they will be able to convey their story effectively (See Loui et al. '00, page 1125, section I. Introduction, lines 9-11).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to Managing Media Objects in a Database in general:

U.S. Patent No. 6,085,185 to Matsuzawa et al., for disclosing a retrieval method and system of multimedia database.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mellissa M. Chojnacki whose telephone number is 730-305-8769. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mmc
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